1905 THE 1905

ROSS GOVERNMENT

AND

PROGRESSIVE ONTARIO

CANVASSER'S BOOK

QUALIFICATION OF VOTERS AND INSTRUCTIONS FOR AGENTS (SCRUTINEERS).

Electoral District of.....

Municipality of.....

Polling Sub-Division No.....

Mr.....

Canvassing Committeeman.

THE GENERAL REFORM ASSOCIATION FOR ONTARIO
36 Toronto Street, TORONTO, ONT.

1905 THE 1905

ROSS GOVERNMENT

AND

PROGRESSIVE ONTARIO

CANVASSER'S BOOK

QUALIFICATION OF VOTERS AND INSTRUCTIONS FOR AGENTS (SCRUTINEERS).

Electoral District of.....

Municipality of.....

Polling Sub-Division No.....

Mr.....

Canvassing Committeeman.

THE GENERAL REFORM ASSOCIATION FOR ONTARIO
36 Toronto Street, TORONTO, ONT.

FC3073
.2
R67

WHO MAY VOTE.

Generally speaking, all male persons 21 years of age, and British subjects by birth or naturalization, and belonging to the constituency, and whose names are on the voters' list, are entitled to vote in a Provincial election. By a judgment of the Court of Appeal, (Townships of Percy and Seymour Case), a voter may be temporarily absent without becoming disqualified, unless he has left his residence intending Never to Return.

He cannot vote in more than one Riding and he cannot vote more than once in the Riding no matter how many times he may be assessed.

He need not own property or be a tenant or occupant.

Lumbermen, mariners, fishermen and students are also entitled to vote though absent almost continuously.

The Conservatives in many places keep on names of persons, on Parts I and III of the list, long after such persons have left and gone for ever. They keep them on as farmers' sons, joint owners, joint tenants, etc., etc., and vote them. They also vote resident aliens and persons under age in the same way. These names should not have been allowed upon the list, and it shows a lack of care on the part of Liberals. They cannot legally be placed on the parts of the list indicated, and they should and can be kept off the lists. LET ALL LIBERALS BE ON THE ALERT AND AT THE POLLING BOOTH SWEAR ALL SUCH WHOSE NAMES MAY HAVE BEEN SLIPPED UPON THE LISTS.

In the South Perth Provincial election trial in 1898, it was contended by the petitioners that certain persons who had voted were aliens, others were non-residents and some were not twenty-one years of age, and that these votes should be disallowed on a scrutiny. The presiding judges held that there could be no scrutiny of these votes and that these persons having voted, no evidence of their disqualification could be admitted. As a consequence the votes of persons whose names should not have been put on or allowed to remain on the lists were counted for the Conservative candidate. The result of this decision is that where a person's name is on the list and he votes whether he has been sworn or not there is no remedy. The vote is counted. **If such persons take the oath they are, however, liable to criminal prosecution for perjury, and should be warned before going to the polls of the consequence of taking the oath.**

CANNOT VOTE.

The following are disqualified from being entered on the Assessment Roll or Voters' List or from voting at elections for the Ontario Legislature or Dominion House of Commons;—

(*a*) Any person who at the time of making the Assessment, Voters' List, or of voting is a prisoner in a gaol or prison undergoing punishment for a criminal offence.

(*b*) Any person who at any time mentioned is an inmate receiving charitable support in a Municipal Poor House or House of Industry, or in a charitable institution receiving aid from the Province.

The following persons though placed on the list as above, are disqualified from *voting* at elections for candidates for the Ontario Legislature:—

(*a*) All Judges, Customs Officers, Clerks of the Peace, County Crown Attorneys, Registrars, Sheriffs, Deputy Sheriffs, Deputy Clerks of the Crown, Crown Lands Agents, Postmasters in cities or towns, Stipendiary Magistrates, Police Magistrates in cities over 30,000, Inland Revenue Officers.

(*b*) The Returning Officer, Election Clerk or paid agents of any of the candidates.

FORM OF OATH IN ORDINARY CASES TO BE ADMINISTERED AT AN ELECTION TO A VOTER BY VIRTUE OF MANHOOD SUFFRAGE.

(1) You swear[1] That you are the person named, or intended to be named, by the name of in the list of voters now shown to you in the poll book.

(2) That you are a British subject by birth and naturalization.

(3) That you have resided within this Province for nine months before the[2] day of , being the day fixed by statute or by by-law authorized by statute for beginning to make the assessment roll in which you were entitled to be entered as a person qualified to vote.

(4) That you were at the date aforesaid in good faith a resident of and domiciled in the municipality in the list of which you were entered; that you have resided in this electoral district continuously from the said date[3], and that you are now actually residing or domiciled therein.

or

[(3) That you have resided within this Province for twelve months before the[2] day of , being the day up to which complaint could be made to the County Judge under *The Ontario Voters' Lists Act* to insert the name of any person in the list.

(4) That you were at the time aforesaid in good faith a resident of and domiciled in the municipality in the list in which you were entered; that you have resided in this electoral district continuously from the said date[3], and that you are now actually residing and domiciled therein.]

(5) That you are entitled to vote at this election and in this municipality.

(6) That you are of the full age of 21 years.

(7) That you have not voted before at this election, either at this or any other polling place.

(8) That you have not received anything, nor has anything been promised you, either directly or indirectly, either to induce you to vote at this election, or for loss of time, travelling expenses, hire of team, or any other service connected therewith.[4]

(9) And that you have not directly or indirectly paid or promised anything to any person, either to induce him to vote or to refrain from voting at this election.

So help me God.

NOTE.—[1] If the voter is a person who may by law affirm in civil cases, then for "swear" substitute "solemnly affirm."

[2] The date to be inserted is at the choice of the elector, to be either the date fixed by law for the assessor to begin to make the assessment roll, or the last day for making a complaint to the County Judge under section 17 of *The Ontario Voters' List Act*.

[3] In case the voter has been temporarily absent for any of the purposes allowed by law, insert the words following "except occasionally or temporarily, in the prosecution of your occupation as (*mentioning, as the case may be, a lumberman or mariner, or fisherman, or in attendance as a student in an institution of learning in the Dominion of Canada, naming the institution*).

[4] Any elector upon taking the election oath may have substituted for article 8 in the oath to be administered to voters as provided by Forms 16, 17, 18 and 19, and article 9, as provided by Form 20 of Schedule A of *The Ontario Election Act*, the following article :—

"That you have not received anything, nor has anything been promised you, either directly or indirectly, to induce you to vote or refrain from voting at this election. That you have not received, nor do you expect to receive, anything for loss of time, travelling expenses, hire of teams, or any other service connected with such election, except what has been *bona fide* earned by you, and may be lawfully paid to you under *The Ontario Election Act* by or through the Returning Officer or Deputy Returning Officer or other proper public officer out of the public moneys without the committal of a corrupt or illegal act, or except also what has been *bona fide* earned by you, and has been or may be lawfully paid and received by you by or

AGENTS READ CAREFULLY.

1. Before Polling day get your written authority to act for your candidate and take this certificate with you to the Polling Station.

2. If you have a vote in the Riding, but not at the place where you are to act as agent, get a certificate from the Returning Officer stating where you have a right to vote. Without this certificate you cannot vote where you are to act.

3. You can take the oath of secrecy before the Deputy Returning Officer where you are to act. You may take the oath before the Returning Officer or Justice of the Peace.

4. Be sure you are well posted on what you are to do with reference to each voter before you get to the Polling Station.

5. Be prepared to be at the Polling Station at 8.30 in the morning, or earlier, and remain there until the votes are counted. The counting does not begin until after five o'clock, at which hour the Poll closes.

6. Only two agents of a candidate are allowed to act and be careful to remember this so that certificates may not be presented by several. It is a trick to give certificates of agency to persons whose right to vote elsewhere is doubtful. Please bear this in mind.

7. Look out sharply to prevent voters being personated and make a note of anything wrong, which you may see, and report it to headquarters.

8. See that each friendly voter is properly instructed and knows how to mark and fold his ballot.

9. Do not allow a friendly voter to have his ballot kept from him on account of the misspelling of his name, or the wrong christian name, or the wrong designation, or a mistake in the number of his lot, or other description. So long as he can swear he is the person designated on the list, he can vote.

10. Be sure the nature of the oath is explained to any friendly voter, so that he will not refuse to be sworn and so lose his vote.

---

on behalf of the candidate by virtue of the provisions of subsection 4 of section 197 of *The Ontario Election Act*, or otherwise as provided or permitted by said Act, and notwithstanding the receipt or expectation of which you are entitled by law to vote." 62 V. (1) c. 4, s. 5.

Shortly after the Provincial elections in 1898 a number of men who had been away in Manitoba, the Western States and elsewhere to assist in harvest, etc., etc., and had come back to Ontario, voted. For taking the oath and voting, some of them were taken before a magistrate on the ground of perjury, but they were all dismissed, the magistrate holding that, to be a resident of any place, a man did not need to be "stalled up there all the time." The highest Court in Ontario has also given a decision on this point, for by the unanimous decision of the five Judges of the Court of Appeal for Ontario, delivered on January 24th, 1899, in *re* "Voters' List of the Township of Seymour," a very liberal construction has been placed upon the continuous residence required by the Act. Their Lordships held that "the question was whether the section of the Act requiring continuous residence was to be strictly construed, or whether it meant nothing more than a residence which the party had not left for good. . . . We are of the opinion that the word continuous does not mean that the party must continue there from day to day. If he leaves for a temporary purpose, simply with the intention of returning, that does not deprive him of the franchise. It is a continuous residence until a new residence has been taken up."

Please bear in mind this meaning of "continuous resident," and it will save much trouble, and will result in many, who are properly entitled to vote, going to the polls and, without fear or favor, taking the oath and marking their ballots.

11. The outside scrutineers should keep "tab" of the names of those who have voted.

12. If an opposition voter, who may be marked to vote elsewhere, presents himself—certificate or no certificate—swear him and advise the agents at the other Polling Station and thus prevent men from voting twice.

13. If a friendly voter has been personated, he can vote by tendered ballot on taking the oath. (See Sec. 107 Election Act.)

14. If a friendly voter is blind, or illiterate, etc., you can, along with the D.R.O., assist him to mark his ballot. (See Section 106 Election Act.)

15. If a friendly voter spoils his ballot see that he gets a new one. (See Sec. 109 Election Act) and that the spoiled one is marked cancelled.

16. If voter cannot understand English have an interpreter sworn in to explain. (Section 102 of Act.)

17. Do not treat. Give no money. Hire no vehicles. Exercise no undue influence. Allow no liquor about the Polling Station.

18. Remember that if a voter once refuses to take the oath he cannot again be admitted to vote, so see to it that the oath is explained and that friendly voters are not "bamboozled" until they quit and do not vote.

19. Once a voter gets a ballot he has a right to use it, whether he has been sworn or not. When a friendly voter therefore gets a ballot, he should at once mark it and have it deposited into the box. He cannot be sworn after he gets the ballot paper. Remember this, every ballot is counted.

20. Only two agents for each candidate are entitled to be present. If possible, arrange to have all objected ballots laid aside before you argue for their rejection or validity, so that you may see how the ballots will affect the count. Examine carefully *back and front* each ballot marked for an opposition candidate. If it is not marked exactly as required by law, or if it has any improper mark, get the Deputy Returning Officer to reject it, and to mark it rejected. If he refuses to do so, object to it, and get him to make a note of your objection. You should also make a note of your objection, and of the number which it bears, on the Deputy Returning Officer's list of objections. In like manner make a note of all objections made by opposition agents to any ballot for your candidate. You will, of course, do your utmost to prevent any ballot for your candidate being rejected. Object to any ballot for an opposition candidate which has not on it the Deputy Returning Officer's initials.

21. The following modes of marking ballots are valid, and you need not object to any so marked:

(1) With a proper cross **with the pencil provided in the polling compartment,** on any part within the white space containing the name of the candidate. (See section 51 Dominion Election Act.)

(2) An irregular or awkward mark in the nature of a cross, so long as it does not lose the form of a cross. If the lines cross at any point it is good.

(3) With an ill-formed cross, or with small lines at the end of cross, or with a line across the centre of one of the lines of the cross, or with a curved line like the blades of an anchor. (North Victoria Case, Hodgins, p. 671.)

(4) An irregular mark in the figure of a cross, so long as it does not lose the form of a cross. (Monck Case, Hodgins, p. 725.)

(5) A cross with a line before it. (Monck Case.)

(6) A cross rightly placed with two additional crosses, one across the other candidate's name, and the other to the left. (Monck Case.)

(7) A double cross or two crosses. (Monck Case.)

(8) Ballot paper inadvertently torn. (Monck Case.)

(9) Inadvertent marks in addition to the cross. (Monck Case.)

22. BALLOTS MARKED AS FOLLOWS ARE BAD :—

(1) A single stroke instead of a cross. (Monck Case ; North Victoria Case.)

(2) Two single strokes not crossing. (Monck Case.)

(3) Ballots with the candidate's name written thereon in addition to the cross. (North Victoria Case.)

(4) Ballots marked with a number of lines. (North Victoria Case.)

(5) Ballots with a cross for each candidate. (North Victoria Case.)

(6) All those upon which there is any writing or mark by which the voter can be identified.

23. Make a copy of all ballots rejected and all marks on them, and of all objected to by yourself or the opposite agents.

24. As soon as your work at the Polling Station is done, but not before, go at once to the Central Committee Rooms and report.

25. Get a statement of the result of the poll on a form supplied by the Deputy Returning Officer.

GET THE PROPER LISTS.

N.B. Please remember that the Municipal lists as generally printed do not contain the names of all the people who are entitled to vote at a Parliamentary Election. The changes made before the Judge in the lists are not printed, but are in the lists that are sent to the Clerk of the Peace, usually the Crown Attorney. Please have whatever lists you may be using corrected according to the lists in the hands of the Crown Attorney or Clerk of the Peace.

TENDERED BALLOTS.

Where a voter has been personated he may vote by tendered ballot (Sec. 107 Election Act); and where his name is on the voters' list, but has been inadvertently omitted from the Poll Book, he may vote by tendered ballot. (Sec. 108 Election Act.)

NAME.	ADDRESS.

Occupation.	Liberal.	Conservative.	Doubtful.	Remarks.

NAME.	ADDRESS.

Occupation.	Liberal.	Conservative.	Doubtful.	Remarks.

NAME.	ADDRESS.

Occupation.	Liberal.	Conservative.	Doubtful.	Remarks.

NAME.	ADDRESS.

Occupation.	Liberal.	Conservative.	Doubtful.	Remarks.

FORMS.

Appointment of Agent.

I,

one of the candidates at the election for the Legislative Assembly for the electoral district of do under the authority of "The Ontario Elections Act," hereby name and appoint as my agent for polling station number of the said electoral district.

As witness my hand this day of 190..

Candidate.

Request for Certificate.

190...

Returning Officer for the Electoral District of , Esq.,

Please grant me a certificate to enable me to vote at Polling Station No. as agent of one of the Candidates as per appointment herewith exhibited to you, and deliver Signed Certificate to the bearer hereof.

Yours, etc.,

A voter in Polling District No.

Electoral District of

Certificate to Entitle Agent to Vote.

I, the undersigned returning officer for the Electoral District of do hereby certify that is an elector entitled to vote at polling station number of said Electoral District, and that he has been appointed agent for one of the candidates at the election for the Legislative Assembly for the said electoral district for polling station number of said district and is entitled to vote at said last numbered polling station.

As witness my hand this day of

Returning Officer.